

PROB 12C  
(7/93)Report Date: ~~March 28~~ **March 29** 2012  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**United States District Court**

for the

**MAR 29 2012****Eastern District of Washington**JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Martin Anthony White

Case Number: 2:06CR02020-001

Address of Offender: Currently at the Yakima County Jail

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 7/13/2006

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 64 Months; TSR - 36 Months      Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 3/24/2011

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: 3/23/2014

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**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on September 26, 2011.

The probation officer believes that the offender has violated the following conditions of supervision:

**Violation Number      Nature of Noncompliance**

- 8      **Mandatory Condition # 5:** The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

**Supporting Evidence:** Mr. White is alleged to being in possession of a firearm on October 4, 2011. See violation #9 supporting evidence for additional information.

- 9      **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** On December 13, 2011, Mr. White was indicted for felon in possession of a firearm in the Eastern District of Washington, docket number 2:11CR02127-001.

On October 4, 2011, law enforcement personnel were looking for Mr. White who had a warrant for his arrest in addition to information that the defendant was armed with a firearm.

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Mr. White was located through surveillance at an apartment building located at the northeast corner of South Naches Avenue and Walnut Street in Yakima, Washington. Yakima Police Department was radioed for assistance in the arrest of Mr. White. A police officer located Mr. White and cut off his route of travel. When Mr. White saw the officer, he turned around and started running eastbound. The officer radioed Mr. White's direction of travel to the other officers. Officer's observed Mr. White running eastbound from 407 South Naches Avenue across the alley and scaled a fence. A police officer located Mr. White, got out of his vehicle and pursued him on foot. Mr. White then gave up when he saw his path blocked and was taken into custody without further incident.

Officers back tracked the footpath taken by Mr. White after he was in custody. Officers recovered a black bandana along with four rounds of .45 caliber ammunition. Officers continued the searched for a possible firearm in the alley. An officer located a Smith and Wesson, Model 4516, .45 caliber pistol serial number TCP1964. Within feet from the firearm, an officer found a single round of .45 caliber ammunition.

Mr. White was read his Constitutional rights and was asked if he understood them to which he responded yes. While at the police station, Mr. White was questioned by an Alcohol, Tobacco, and Firearms (ATF) Special Agent and a Department of Corrections (DOC) Officer about the pistol to which he said he did not know anything about the pistol. Mr. White was told by the DOC officer that according to rumors on the street he, Mr. White, was carrying a gun and was out to rob people. Mr. White became agitated and reported he was a gang banger without much backup (support on the streets) in Yakima. The ATF Special Agent told Mr. White he did not believe he was selling guns and it was his opinion the gun was for protection. Mr. White told the ATF Special Agent he does not sell guns and hypothetically if he did have a gun it would be for protection from the other gangs. The ATF Special Agent asked Mr. White which gangs he needed protection from. Mr. White said everyone. Mr. White continued saying both the Nortenos and Surenos wanted him dead. The ATF Special Agent again asked how he got the gun and Mr. White again said he did not know anything about the gun. The ATF Special Agent ended the interview and Mr. White was then booked into the Yakima County Jail.

On October 7, 2011, the ATF Special Agent conducted a function test of the pistol which proved to be functional.

On March 5, 2012, Martin White appeared before Your Honor and entered a guilty plea to the sole count of the indictment pursuant to a written plea agreement. The Court accepted the defendant's guilty plea and scheduled sentencing for May 29, 2012, in Yakima, Washington.

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**Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

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**Supporting Evidence:** Mr. White used methamphetamine on October 3, 2011.

On November 4, 2011, Mr. White signed an admission of drug use form admitting to having used methamphetamine two or three times a week with last use on October 3, 2011.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/28/2012

s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer

3/29/12

Date